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From : Lauren Nguyen

Date : August 17, 2004

Client/Matter No : 039386-0217 (PF-0261-2DIV)

USSN : 09/768,840

Filing Date : 1/23/2001

Examiner : S. Rawlings

User ID No : 4168

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Transmitted herewith for filing in the above-referenced application are the following.

- 1) Notice of Appeal (2 pages) in Duplicate.

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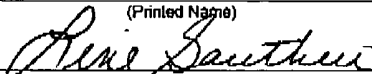
AUG 17 2004

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Atty. Dkt. No. 039386-0217

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jennifer L. HILLMAN et al.
Title: CALCIUM-BINDING PROTEIN
Appl. No.: 09/768,840
Filing Date: 1/23/2001
Examiner: S. Rawlings
Art Unit: 1642

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Line Gauthier (Printed Name)  (Signature) August 17, 2004 (Date of Deposit)

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated March 17, 2004, finally rejecting Claims 2-12 and 21-26.

- ☐ Applicant claims small entity status.
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ Notice of Appeal Fee
- ☒ To be paid as detailed below
- ☐ Not required (Fee paid in prior appeal)

Atty. Dkt. No. 039386-0217

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$330.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$420.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$750.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$750.00

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☐ A check in the amount of \$750.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date August 17, 2004By 

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6716
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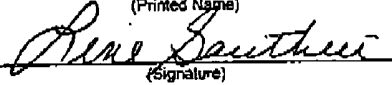
Lien-Chi A. Nguyen
Patent Agent for Applicant
Registration No. 54,337

DUPLICATE

Atty. Dkt. No. 039386-0217

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jennifer L. HILLMAN et al.
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DUPLICATE Atty. Dkt. No. 039386-0217

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	FEE TOTAL:	\$750.00
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By 

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